

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRUSTEES OF THE LABORERS
PENSION TRUST FUND-DETROIT
& VICINITY, *et al*,

Plaintiffs,

v

JENKINS CONSTRUCTION, INC.,
et al,

Defendants.

Case No. 14-cv-13030
Hon. Matthew F. Leitman

**ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS’
MOTION FOR EXAMINATION OF JUDGMENT DEBTOR (ECF #25)**

This matter having come before this Court on Plaintiffs’ Motion for Examination of Judgment Debtor (the “Motion”) (*see* ECF #25), and said Motion having been duly filed along with a supporting Affidavit and Brief (*see id.*), and the Court having reviewed the same and being fully advised in the premises, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART AND DENIED IN PART** as follows:

James B. Jenkins, on behalf of Jenkins Construction, Inc. and Jenkins Enterprise, Inc., alter-ego corporations who both have offices at 985 E. Jefferson, Detroit, Michigan 48207 shall appear on **October 27, 2016 at 10:30 a.m.** to be examined under oath concerning the income, property, or other means of satisfying

the Judgment entered herein against Defendants on August 26, 2016 (*see* ECF #22).

IT IS FURTHER ORDERED that said person shall bring with him the following books, records, and papers in his possession, custody or control as they relate to Defendants Jenkins Construction, Inc. and Jenkins Enterprise, Inc.:

1. All checkbooks, check registers, check stubs, canceled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which Defendants have, or have had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

2. Copies of all returns, schedules and forms filed by, or on behalf of, Defendants with the Internal Revenue Service, State of Michigan, and any municipal governments, relating to any income received, property owned, business activities, sale or intangibles tax, of Defendants at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

3. All books of account and accounts receivable ledgers;

4. List of assets and liabilities;

5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property having a value in excess of \$5,000, real or personal, price or any interest therein, purchased, sold or owned by, or on behalf of, Defendants at any and all times during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

6. Copies of all profit and loss statements and balance sheets relating to the affairs of Defendants prepared by, or on behalf of, said Defendants at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

7. Any and all documents which evidence the transfer of any asset(s) whatsoever from Defendants to Constructive Services, LLC or to any other entity which is under common ownership or control with that of Defendants for the three (3) year period preceding the date hereof; and

8. Any and all documents which evidence the transfer and/or deposit of any money transferred to, or received from, Constructive Services, LLC and/or with regard to any other entity which is under common ownership or control with that of Defendants for the three (3) year period preceding the date hereof.

IT IS FURTHER ORDERED that if James B. Jenkins or Defendants have any objection to the above ordered document production, they must present such objection to the Court within ten (10) days of being served with this Order.

In all other respects, the Motion is **DENIED**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: September 8, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 8, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(313) 234-5113